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5 **UNITED STATES DISTRICT COURT**
6 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
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8 CHARLES STEVENS,

9 Petitioner,

10 v.

11 KEVIN CHAPPELL,

12 Warden of San Quentin State Prison,

13 Respondent.

No. C 09-137 WHA

**ORDER VACATING BRIEFING ON
EXHAUSTION AND SETTING
SCHEDULE FOR ANSWER AND
TRAVERSE**

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15 The Court is in receipt of the parties' stipulated request to vacate the remaining briefing
16 schedule on exhaustion, and to set a schedule for the filing of an answer and a traverse.
17 Respondent has concluded that all of the claims in petitioner's amended petition are properly
18 exhausted; accordingly, the issue of exhaustion is now moot and the Court hereby **VACATES** the
19 remaining briefing dates regarding exhaustion.

20 Respondent's answer to the amended petition will be due within 120 days of the date of
21 this Order. Petitioner's traverse will be due within 60 days of the filing of the answer. At that
22 juncture, the Court will set a litigation schedule for resolution of petitioner's claims, and
23 schedule a CMC if necessary.

24 **IT IS SO ORDERED.**

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26 DATED: June 26, 2014

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28 **WILLIAM ALSUP**
UNITED STATES DISTRICT JUDGE